

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Michael L. Williams,

Plaintiff,

vs.

Tony Ward,

Defendant.

) Civil Action No.:

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NOTICE OF REMOVAL
BY DEFENDANT

NOW COME the Defendant, Deputy Sergeant Tony Ward, Lexington County Sheriff's Office, who respectfully alleges:

1. Deputy Sergeant Tony Ward, the sole defendant in this action was served with process in a civil action that was filed on or about March 16, 2018, in the Court of Common Pleas for Lexington County, South Carolina, Civil Action No.: 2018-CP-32-00958, entitled *Michael L. Williams, Plaintiff, vs. Tony Ward, 521 Gibson Rd., Lexington, SC, 29071, Defendant.*

2. Service of the Summons and Complaint on Defendant Tony Ward, was made on or about April 2, 2018, with said documents constituting the initial pleadings setting forth the claim upon which the action is based. Defendant first received notice of the claim on the date of such service. A copy of the *pro se* Summons and Complaint in question is attached hereto and made a part hereof as if fully set forth herein.

3. The action is a *pro se* civil action of which this Court has original jurisdiction under Title 28 U.S.C. § 1331, and is one which Defendant is entitled to remove to this Court pursuant to Title 28 U.S.C. § 1441. The Plaintiff's *Pro Se* Complaint shows that this is a civil action wherein Plaintiff claims that his rights were violated pursuant to the Eighth Amendment prohibition against

Cruel and Unusual Punishment, Excessive Force, and Assault and Battery, in violation of his Constitutional rights, secured to him under the Eighth and Fourteenth Amendments to the Constitution of the United States of America; all in apparent violation of Title 42 U.S.C. §§ 1983.

WHEREFORE, Defendant, Deputy Sergeant, Tony Ward, as the only named Defendant in the present action, and upon whom service of process has been effected, files this notice to remove the above *pro se* action pending in the Court of Common Pleas for Lexington County, State of South Carolina, Civil Action No.: 2018-CP-32-00958, from that Court to this United States District Court.

THE PAULEY LAW FIRM, LLC

S/ Michael S. Pauley

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Lexington, South Carolina

April 25, 2018